UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- -X

UNITED STATES OF AMERICA

- against -

EVGENY BURYAKOV,
a/k/a "ZHENYA,"

Defendant.

- -X

ORDER OF JUDICIAL REMOVAL

S1 15-CR-73 (RMB)

Upon the application of the United States of America, by Emil J. Bove III, Brendan F. Quigley, and Stephen J. Ritchin, Assistant United States Attorneys, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of EVGENY BURYAKOV, a/k/a "ZHENYA" (the "defendant") and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.

2. The defendant is a native of the former USSR and a citizen of the Russian Federation.

3. The defendant entered the United States on or about July 20, 2014, at J.F.K. International Airport, New York, New York, with an L-1A (Intra-Company Transferee) non-immigrant visa with authorization to remain in the United States until August 1, 2015.

4. The defendant remained in the United States thereafter without authority of the United States Department of Homeland Security.

5. On February 5, 2015, the United States Department of State revoked the L-1A non-immigrant visa.

6. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of Conspiracy to Act in the United States as an Agent of a Foreign Government, specifically the Russian Federation, without prior Notification to the Attorney General as Required by Law, in violation of Title 18, United States Code, Section 371, for which the object of the conspiracy was to violate Title 18, United States Code, Section 951.

7. The maximum term of imprisonment for a violation of Title 18, United States Code, Section 371 is five years of imprisonment.

8. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to Section 237(a)(1)(B) of the Immigration and Nationality Act of 1952 as amended (the “INA”), 8 U.S.C. § 1227(a)(1)(B), as an alien who is present in the United States in violation of this chapter or any other law of the United States, or whose nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) has been revoked under Section 1201(1) of this title.

9. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).

10. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

THEREFORE, it is ordered that, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), the defendant be removed from the United States to the Russian Federation promptly upon the satisfaction of any sentence of imprisonment, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing.

Dated: New York, New York
May ___, 2016

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HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK